

TESTIMONY OF THE CONNECTICUT JUSTICE ALLIANCE

Judiciary Committee



IN OPPOSITION OF HB 6889: An Act Concerning Juvenile Matters

March 12, 2023

Dear Chairs Senator Winfield and Representative Stafstrom:

My name is Fernecia Smith and I am a Justice Advisor at the [Connecticut Justice Alliance](#) (CTJA). I'm writing this testimony to communicate my strong opposition for **HB #6889 An Act Concerning Juvenile Matters**.

The CTJA is a statewide youth-adult partnership working to end the criminalization of youth. The Alliance includes Justice Staff, Justice Advisors, and Steering Committee members, which include lawyers, researchers, clinicians, and social workers, who work across issues areas such as mental/behavioral health, family advocacy, substance abuse, youth services, LGBTQ+ issues, legal representation, education, community and residential services, and public policy reform.

At surface level, this bill is presented in a way that seeks to appear as if it will do good things for the community and for the young people who will be affected the most by these changes; however, the language of it suggests otherwise. Altogether, I believe this bill was poorly constructed due to the fact that it seemingly places blame on troubled families, but offers no real solutions that would actually help these families or their children. While I understand and agree that victims' rights are important, I want to emphasize that you cannot try to address the rights of one group of people while tarnishing or completely ignoring the rights of another group of people. The things that HB 6889 suggests would literally create an even larger group of victims— young people and their families. Specifically, Black and Brown youth and their families would be the biggest victims.

Section 1 of HB 6889 would require a change to the law so that a young person who commits a crime would have to appear in court where the offense happened, as opposed to their local court. Young people who commit crimes to begin with lack resources, hence why they commit the crimes in the first place. A lot of times, these crimes are committed in places that are not close to home. Requiring them to return back to those areas for court would increase the risk of subjecting them to penalties that exist for not appearing, such as issuing a warrant for their arrest.

Section 3 discusses the automatic transfer of children ages 15 and older to the adult court system if they commit a serious juvenile offense. A person who is under the age of 20 is a child. Period. Up until the age of 25, our brains are not fully developed yet. So if a child commits a serious offense, that should be alarming and a clear indicator that services need to be provided to that child. Throwing them in prison, especially adult prison, is NOT the solution and does NOT solve the underlying issues at hand, nor does it prevent them from committing a crime in the future. In fact, it worsens all of that.

Section 4 would allow the court to investigate families if their child is charged with a certain offense. Again, if a child commits a crime, that alone is evidence that there is something lacking in that child's life. Blaming the family instead of providing resources is not only backwards, but it's essentially victim blaming in full effect. These families are victims. They're victims of decades of being set back. They're victims of a legal system that uses the word "justice" but has yet to figure out what that really means and act in a truly just manner to ALL individuals. They're victims of a city, town, state, and/or country that has stakeholders who grew up with a silver spoon and have absolutely no idea what life is like on the outside of their golden gates, so their solution to "helping" youth who commit crimes is to not help at all, but instead just loop the entire family into the legal system.

Sections 5 and 6 talk about rolling back the removal of Family with Service Needs which makes it possible to refer a child to court for committing various low level status offenses. Offenses such as truancy, running away from home, not following school rules, or engaging in sexual activity with another young person of the same age group, are troubling behaviors; however, not behaviors that deserve a referral to court. These are behaviors that many children engage in that often have to do with their age. Simply put, they're just not mature enough to make the right decisions all the time. This does not mean that they need legal guidance. What they need are proper resources. A child who is truant could be missing school because they're tasked with helping with childcare for younger siblings while their parents try to make ends meet. They could also come from a well put together family, but just lack a connection with any teachers or adults in their school. Or perhaps they aren't being challenged enough in the classroom and rather not go because they're bored. Or on the opposite end of that, maybe they need a little extra help keeping up and choose to skip class altogether because they're embarrassed. Similarly, a child who runs away from home could be running from a chaotic household and trying to escape to something safer. But this is not always the case. Some children just go through a phase where they're old enough for some things but still too young for other things, so they run away to try to obtain those things they want because they have a caring family at home who will not put up with certain behavior. They figure that running away will allow them to feel grown and do things they otherwise would not be allowed to do at home. Oftentimes those things include drugs or sex. Again, this is something that could be solved with the proper services and resources. All of these have solutions that do not require funneling children into the court system.

These are just a few sections worth highlighting, but the entire bill would be detrimental to our communities. It's evident that, as Barbara Fair, executive director of Stop Solitary CT once said, "This isn't about safety and security. It's about power and control." If it were truly about safety and security, the focus would be on supporting bills such as HB 6888 which is a step towards creating a safe and secure state. HB 6889 does quite the opposite and targets a specific group of people while doing so. If you have any ounce of decency, you'd do the right thing and strike down HB 6889.

Thank you for taking the time to consider my thoughts. Please feel free to reach out with any questions.

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